

**7/27/78**

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THE WHITE HOUSE

WASHINGTON

MR. PRESIDENT:

Senator Kennedy has now decided that he does not, at this time, want to meet with you alone, and would want any meeting to be with Kirkland and Fraser at some later unspecified time. He would like you to return his phone call of last night.

Please do not return the phone call until:

- a. you have had the opportunity of reading the attached briefing memo; and
- b. we have had our 3:00 p.m. meeting today with yourself, Califano, McIntyre and Schultze.



Stu Eizenstat

27 Jul 78

*Prevent  
Cost & Containment  
Organ  
HMO*

THE WHITE HOUSE

WASHINGTON

July 27, 1978

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT  
JOE ONEK



SUBJECT: Meeting with Kennedy on NHI

You previously told Senator Kennedy and labor leaders that you would show them your NHI principles in advance and meet with them if there were serious disagreements. We have met with the Kennedy and labor staffs and with Senator Kennedy; two areas of disagreement remain. A meeting with you and Senator Kennedy has therefore been set up today.

Areas of Disagreement:

1. One bill or several bills. Principle 6 leaves open the possibility that we would phase in a comprehensive national health plan with more than one piece of legislation, over a period of time. For example, the first piece of legislation could provide Medicaid reform and catastrophic coverage and then, depending on economic and other conditions, a second piece of legislation could be introduced to provide basic coverage for employees.

Implicit in our approach and in the language you approved (which in turn had complete agreement from all of your advisers) is that the implementation of successive phases depends both on the success of prior phases (a retroactive evaluation) and on economic and budget conditions at the time (a prospective evaluation). This is a responsible approach but, particularly the prospective conditions, is rejected by Kennedy and labor. They can agree to mid-course "adjustments" but not to delays and/or major modifications in phases because of budget and economic conditions. We think their approach is not a responsible course.

Kennedy and labor have always opposed such an approach because they fear that Congress will never go beyond the first stage. Long, Ribicoff, and many others believe that the incremental approach is the only practical one.

We can draft the principles so that this issue is papered over. However, it is clear that Secretary Califano will immediately be asked at the press briefing whether this forecloses use of more than one bill. All your advisers (DPS, HEW, OMB, CEA) believe we must answer that more than one bill remains a possibility. This answer to an inevitable question about our interpretation of the principles is unacceptable to Senator Kennedy, and he has indicated it will precipitate a break with the Administration over the NHI issue. This would probably occur even if we paper over the disagreement in the principles.

We have identified three options:

First, we could commit to only one bill, and thus avoid a rupture with Senator Kennedy and labor. It is possible that we could devise a phasing approach under a single bill which would be flexible enough to meet your budgetary and economic concerns. However, we are by no means certain that we can perfect such an approach and would therefore feel we need to keep open the option of more than one piece of legislation. Furthermore, it is conceivable that Kennedy and labor may not ultimately agree with whatever phasing approach we select. Finally, once we are committed to a single bill, we lose much of our leverage to force Kennedy and labor to agree to a moderate plan. Moreover, an incremental approach is the only one with a chance of success in Congress. To commit now to a comprehensive bill may assure a failure to pass anything on NHI.

The second option is simply to state that we have not ruled out more than a single bill, and that it is indeed possible we will ultimately decide on that approach. This approach would be supported by Long, Ribicoff, the business community, and others, but would lead to a rupture with Kennedy and labor on NHI.

Third, a possible compromise would be to say that the Administration "prefers" that our comprehensive national health plan be contained in a single bill if it can be responsibly done but that other options remain open (incremental approach) and will be fully explored. Under this approach, you could emphasize to Senator Kennedy that he should not break with the Administration before the Administration has in fact made a decision on this question. Of course, the Senator would be free to break at any future time. We do not know whether this approach would be acceptable to Senator Kennedy. This would give us time to see if Kennedy/labor can agree to a more responsible approach.

2. Timing of tentative plan. As you know, Senator Kennedy and labor had hoped that the Administration would announce a tentative plan in the fall so that Senator Kennedy could hold NHI hearings. We have urged, and you have agreed, that

this does not make sense. Instead, we have suggested to Senator Kennedy that he hold hearings on the problems which create the need for NHI and, if he wishes, on certain aspects of our plan.

Yesterday we told Senator Kennedy why we thought the tentative proposal should not be announced until after the election. First, announcement of even a tentative plan before the election could pose problems for Democratic candidates who, in the current climate, must avoid the big spending label. Second, it would be unwise for you to introduce a new initiative when you are still embroiled in major energy and tax battles. It would appear the Administration has lost its sense of priorities and cannot focus on "first things first." Third, the future of NHI will not be any different if a tentative proposal is first announced on November 15 rather than October 1. When the history of NHI is written, whether the plan comes before or after the election will be irrelevant.

We believe that these arguments carried some weight with Senator Kennedy, and that he might be willing to abandon his timing position if he can reach agreement with the Administration on the first issue of a single bill.

We recommend that you should emphasize that there is no need for Senator Kennedy to precipitate a break until a final Administration decision is made. We think that you should make clear that you cannot at this time foreclose the possibility that you would recommend more than one bill.

Furthermore, you should tell Senator Kennedy that if he and labor break with the Administration and do not continue to help us develop an NHI plan, you will be left with no alternative but to work with other members of Congress.

Finally, we believe you should reiterate your decision on the timing of the tentative plan. In light of our conversation with Senator Kennedy noted above, we do not expect that Senator Kennedy will break with the Administration on this issue alone.

THE PRESIDENT'S SCHEDULE

Thursday - July 27, 1978

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8:15 Mr. David Aaron - The Oval Office.

9:00 Mr. Frank Moore - The Oval Office.

9:30 Meeting with Democratic Members of the 94th Congress.  
(40 min.) (Mr. Frank Moore) - The State Dining Room.

10:30 Mr. Jody Powell - The Oval Office.

1:30 Chairman John White. (Mr. Hamilton Jordan).  
(20 min.) The Oval Office.

3:00 Senator Ted Stevens. (Mr. Frank Moore).  
(15 min.) The Oval Office.

5:30 Drop-By Reception Honoring Participants of Seminar  
(15 min.) on Employment - The State Floor.

7:40 Depart South Grounds via Motorcade en route  
Sidwell Friends School.

8:00 Attend Amy's Summer School Closing Program.

THE WHITE HOUSE  
WASHINGTON

27 July 1978

TO: THE PRESIDENT  
FROM: RICK HUTCHESON *R.H.*  
SUBJECT: Memos Not Submitted

1. BROCK ADAMS MEMO praising the Bonn Summit agreement on hijacking, and indicating that no new legislation is needed to implement the agreement. DOT and State are working to ensure prompt implementation. There is broad support for the agreement from Congress, and US airline and pilot groups. ✓
2. BOB LIPSHUTZ sent you a letter from Sirhan Sirhan, in which he claims to be a political prisoner. No action needed. ✓
3. PETER BOURNE MEMO detailing current drug control efforts underway in the Southeastern US. Copies of this lengthy memo have been referred to Eizenstat and Brzezinski. ✓

ID 783771

THE WHITE HOUSE

WASHINGTON

DATE: 24 JUL 78

FOR ACTION:

*for summary!*

INFO ONLY: THE VICE PRESIDENT

JACK WATSON

STU EIZENSTAT

ZBIG BRZEZINSKI

SUBJECT: ADAMS MEMO RE BONN SUMMIT AGREEMENT ON HIJACKING

+++++  
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +  
+ BY: +  
+++++

ACTION REQUESTED:

STAFF RESPONSE: ( ) I CONCUR. ( ) NO COMMENT. ( ) HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:





THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

July 21, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: Brock Adams

A large, handwritten signature in black ink, which appears to read 'Brock Adams', is written over the 'FROM' line and extends into the 'SUBJECT' line area.

SUBJECT: Bonn Summit Agreement on Hijacking

This is a major step forward in mobilizing the international community toward effective actions to eliminate aircraft hijacking from the world scene. It reflects the determination of the economic and aviation powers to eliminate the state support and sanctuary which heretofore have been available to terrorist hijackers.

This is very significant because the summit nations account for 67 percent of free world airline operations and 69 percent of all passengers. Remaining commercial airline activity is spread among 130 other nations. Thus, the impact of sanctions by the seven nations and others who may join in the commitment can be dramatic and persuasive.

No additional legislation is necessary to implement your commitment under the agreement. Section 1114 of the Federal Aviation Act gives you the authority to suspend commercial air service between the U.S. and those nations who fail to prosecute and severely punish hijackers, or extradite them, pursuant to the 1970 Hague Hijacking Convention. The summit agreement solidifies a multilateral consensus and will avoid unilateral U.S. actions which might be resisted and perhaps be counterproductive.

At my July 18 appearance before the House Aviation Subcommittee on pending antiterrorism legislation, and from other information we have received from the Senate and House, there is broad Congressional support and appreciation for the initiative contained in this agreement. United States airline and pilot groups have also indicated their support. We are now meeting with top industry officials to assure complete commitment.

Consultations between the Departments of Transportation and State began early July 17 and are continuing with other agencies to ensure prompt and effective implementation.

THE WHITE HOUSE

WASHINGTON

July 25, 1978

MEMORANDUM FOR THE PRESIDENT

FROM:

Bob Lipshutz



Although I do not believe that the attached letter requires any response from you or from me on your behalf, I feel that you should be aware of having received it.

The writer of this letter is the man convicted of the assassination of Robert Kennedy.

cc: Jody Powell

*is  
D-571000  
Robert Sirhan*

Sirhan Sirhan  
B-21014  
CTF-Central PHU-1  
Soledad, Ca 93960

July 18, 1978

The President

Dear Mr. President:

I wish to contest your administration's recent assertions that there are no political prisoners in the United States.

Were this assertion true, the California Parole Board would not have denied my application for parole, today. Had the California Parole Board treated me as an apolitical prisoner, and had faithfully applied its own criteria and guidelines, and the law, to my case, as it does in the cases of all other prisoners in my class, I would be free, living in my homeland right now.

I can attest to the fact that tyranny, oppression, and hypocrisy are not as alien to the United States (at least California) as the American people might think.

Respectfully,

*Sirhan Sirhan*  
Sirhan Sirhan

cc: Los Angeles Times

1:30

THE WHITE HOUSE  
WASHINGTON

July 27, 1978

MR. PRESIDENT:

JOHN WHITE WILL BRING ARTHUR AND LOTTIE  
TEMPLE WITH HIM TODAY AT 1:30 FOR A HAND-  
SHAKE AND PHOTOGRAPH.

MR. TEMPLE IS VICE PRESIDENT OF THE BOARD  
AND A MAJOR STOCKHOLDER OF TIME, INC.,  
AN OFFICIAL OF THE DIEBOLD COMPANY, AND  
A PARTY SUPPORTER FROM TEXAS.

PHIL

PR2

THE WHITE HOUSE  
WASHINGTON

July 27, 1978

Bob Lipshutz  
Hugh Carter

The attached was returned in  
the President's outbox today  
and is forwarded to you for  
appropriate handling.

Rick Hutcheson

cc: Stu Eizenstat  
Frank Moore  
Jack Watson  
Jim McIntyre

THE WHITE HOUSE  
WASHINGTON

7/27/78

Mr. President:

Eizenstat and Watson concur  
with Lipshutz and H. Carter.

Congressional Liaison recommends:

1. approve
2. approve
3. stick to effective date  
after 2nd term
4. let the bill follow its  
own course, continue to  
attempt to amend it per  
our preferences, but do  
not try to kill it

Rick

THE WHITE HOUSE

WASHINGTON

July 24, 1978

1

MEMORANDUM FOR THE PRESIDENT

FROM:

BOB LIPSHUTZ *ryj*

HUGH CARTER *HC*

MIKE CARDOZO *MC*

SUBJECT:

Disposition of Presidential Papers

Last week the House Committee on Government Operations approved by a vote of 33-2, H.R. 13500, the "Presidential Records Act of 1978". This bill, introduced by Richardson Preyer (D-N.C.) represents a compromise of earlier Preyer and Ertel-Brademas bills about which we wrote to you on February 23, 1978 (TAB A). It is much closer to your position than Preyer's earlier bill.

H.R. 13500 has now been referred to the House Administration Committee (a similar bill will soon be introduced in the Senate by Gaylord Nelson). It contains, despite our efforts to amend it, several points to which we object. It is almost certain that we will not be able to get everything we want in this bill, but if you will allow us the flexibility to negotiate, we think we can come close. The purpose of this memo is to explain the most important of these alternatives to you, and get your instructions on how flexible we may be.

- (1) In the February 23rd memo, (TAB A, page 3) we recommended, and you approved, a limited access period of up to 15 years. The new bill allows 10 years. Until now we have negotiated strongly for 15 years, but without success. We do not feel we can get 15 years. If you approve, we probably can get the 10 years raised to 12 or 13 years. If we do not compromise and continue to try to get 15 years, we may wind up with 10 years.


☒ Approve negotiating for between 10 and 15 years  
(recommended)

☐ Continue to insist on 15 years.

(2) The new bill places the above noted 10-year restriction on six categories of information (we approve the six, and are trying to get one more added). However, it states that if during the period when the restriction is in effect the Archivist determines that information falling within one of the restricted areas has been placed in the public domain through publication (book, newspaper or magazine article, speech, etc.) by the former President or any of his aides or associates, his authority to limit access pursuant to the Presidential restriction is voided. We recommend that you:

- (a) instruct us to attempt to get the entire section deleted, but
- (b) if there is not enough support to delete it completely, then try to delete the "aides or associates" portion and leave the former President portion. (This means that if the former President writes his memoirs and cites or quotes a Presidential record, the restriction on access to that record would be lifted.

(Note: This gives us some room to negotiate. Most likely we can drop "aides or associates". We have only a slight chance to drop the whole section.)

  
\_\_\_\_\_  
Approve

\_\_\_\_\_  
Disapprove

(3) In the February 23rd memo (TAB A, page 4, paragraph 4) you approved the recommendation that we ask that any enacted legislation not be applicable to the President who is incumbent when the bill is passed. H.R. 13500 contains a January 20, 1981 effective date. This means that if you successfully seek a second term, you totally control the records of your first term, and this legislation controls the records of your second term. We have tried unsuccessfully (to date) to amend the bill so that it does not apply to the incumbent President. We will continue to try to accomplish this, but estimate that the chances are slim.

We recommend that you instruct us to continue to attempt to keep the bill from applying to the incumbent President. However, since you already have stated your intention to carry



-3-

out the substance of this legislation, we also recommend that you allow us to compromise on January 20, 1981, if absolutely necessary.

\_\_\_\_\_ Approve  
\_\_\_\_\_ Disapprove

*No reason to  
compromise - No  
earlier than 1/81*

(4) If necessary we can probably kill the bill this year by stalling it. If we do this, Preyer may introduce it again next year or the following year. Of course, the closer it gets to the 1980 election year, the greater the political risks are in trying to amend it to your satisfaction. You will not get much credit for supporting this bill whenever it is passed -- only possible criticisms for objecting to parts of it.

If the points in the bill cannot be worked out to your satisfaction (as noted in the February 23rd and this memo), do you want us to try to kill the bill this year?

\_\_\_\_\_ Try to kill the bill by stalling it if my preferences cannot be incorporated.

✓  
\_\_\_\_\_ Let the bill follow its own course, continue to attempt to amend it per my preferences, but do not try to kill it.

\_\_\_\_\_ Try to push the bill through this year even if I cannot get all my preferences.

*but:  
Don't accept  
(2) above*



THE PRESIDENT'S OFFICE

THE WHITE HOUSE  
WASHINGTON

February 23, 1978

Bob- Talk to  
Bob Edge & H. Hill-  
Then see me  
J

MEMORANDUM FOR THE PRESIDENT

FROM: Robert Lipshutz *RL* Michael Cardozo *MC*  
Hugh Carter *HC*

SUBJECT: Disposition of Presidential Papers

The Subcommittee on Government Information and Individual Rights of the House Committee on Government Operations will hold hearings late this week and March 2-7 on a bill introduced by the Subcommittee's Chairman, Richardson Preyer (D-N.C.). The bill is captioned the "Presidential Papers Act of 1978". The Subcommittee has requested that an Administration spokesperson present your views to the Committee.

Congressmen Ertel and Brademas have introduced a bill dealing with the same subject, but in our opinion, in a manner preferable to that proposed in the Preyer bill.

Each bill provides that "Presidential records" shall be owned, possessed and controlled by the United States and requires that procedures be established within the White House to distinguish between Presidential records and personal papers as they are created and received. Materials relating to personal participation in party politics are considered personal papers. The Preyer bill provides that Presidential records may be disposed of during a President's term only with the Archivist's written approval and with the publication of the disposition schedule in the Federal Register 60 days prior to disposition. The Ertel-Brademas bill requires consultation with the Archivist before records may be destroyed during a President's term.

Under each bill, the Archivist assumes custody of all Presidential records at the end of a President's term and deposits them in a Presidential archival depository.

DISAPPROVE

2. Oppose those parts of the Preyer bill which would amend the FOIA to bring Presidential papers under the Act. Presently, the White House is excluded from the FOIA. To endorse the Preyer-FOIA amendment would cause a chilling effect on the White House staff and on members of your administration who communicate with you. Presidential aides and appointees should not have to worry that their communications might be accessible to the press or the public soon after an administration has ended. As the Director of Presidential Libraries advised: "We should not tread too closely on the heels of the makers of history. If we restrain ourselves now, we will have a richer history as a result." We recommend that you oppose the applicability of the FOIA to the papers of a former President.

APPROVE                      ✓  
(Recommended)

DISSAPPROVE

3. We recommend that you support a provision permitting a President to control access to his Presidential records for a specified period of time. The majority report of the Public Documents Commission (1977) recommended that the President be permitted to limit access for up to 15 years. The principal argument for limiting access is to encourage free, blunt communications by and to a President, without fear of immediate publication or accessibility after a Presidential term ends. For that reason the White House is presently exempted from the FOIA - to prevent a chilling effect which would discourage candid discourse. President Ford's counsel has advised us that President Ford retained the right to limit access to his records for up to 13 years, because that period covered three Presidential elections. To create the appearance of greater openness, consistent with your campaign promises, you may want to recommend a period of up to 12 years during which access may be limited. We are divided on this issue by our desire for greater openness, and by our realization that many members of your administration are relatively young and may be serving in government when your papers, and their communications to you, become accessible, whether it be in 12 or 15 years.

Support 12 years -- recommended by Lipshutz

APPROVE

DISAPPROVE

Support 15 years -- recommended by H. Carter and Cardozo & Jody

APPROVE 

DISAPPROVE

4. Both the Preyer and the Ertel-Brademas bills would permit you to retain control and access to the records of your first term, but provide that "Presidential records" created after January 20, 1981 become the property of the United States and must be transferred to the custody of the Archivist immediately upon departure from office; the records then become subject to the control and access established in the legislation. Accordingly, we could find ourselves in a situation where you control access to the records of your first term, but do not control access to the records of your second term. We recommend that the testimony request that any enacted legislation not be applicable to the incumbent President when the bill is passed.

APPROVE ✓  
(Recommended)

DISAPPROVE \_\_\_\_\_

In August you agreed that certain steps should be taken with respect to the disposition of your papers and the establishment of a Presidential library. At that time, we felt there was no need to accelerate an announcement of your plans or to encourage the many colleges, universities and individuals interested in establishing a Carter Presidential Library. However, we feel the timing is now appropriate to state your intentions with respect to your papers. This can be accomplished by the execution of the attached letter to Jay Solomon as Administrator of GSA. Your intentions would be stated in the testimony and the public release of a copy of this letter would accompany such testimony. We are working on a codicil to your will reflecting your intentions with respect to your Presidential papers.

APPROVE \_\_\_\_\_  
(Recommended)

DISAPPROVE \_\_\_\_\_

We feel that Jay Solomon is the most appropriate person to deliver testimony on your behalf before the subcommittee. We also considered Col. John Dunn and the Archivist (he will be testifying in any event). Please indicate your approval/disapproval of Jay Solomon.

APPROVE ✓  
(Recommended)

DISAPPROVE \_\_\_\_\_

THE WHITE HOUSE

WASHINGTON

March 6, 1978

To Administrator Jay Solomon

It is my belief that the official papers and other historical materials produced during the administration of a President represent an important part of our nation's history. Such materials should be permanently preserved and should be made available for historical review. The Presidential Libraries Act of 1955, permits a President to arrange for the preservation of official, historical materials received or generated during his or her administration in a presidential archival depository.

The purpose of this letter is to advise you of my intention to offer for deposit with the United States government the official papers and other historical materials received and produced during my presidency. I plan to offer these materials for deposit in a presidential archival depository.

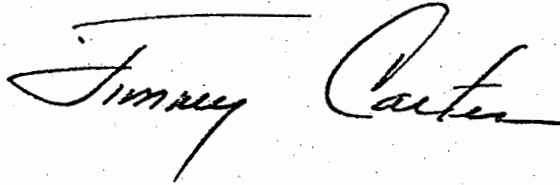
Prior to the termination of my term as President, I will convey to the Archivist of the United States all rights, title and interest which I may have in such papers and historical materials. It is also my intention to work with Dr. James B. Rhoads, Archivist of the United States and you, as Administrator of General Services, in locating and planning a facility appropriate to serve as a presidential archival depository for my papers.

I have asked my attorney to draft a codicil to my will. The codicil will effect transfer of the official papers and historical materials received or produced during my presidency to

the Archivist of the United States, should I die prior to the formal conveyance of my rights and title in these materials to the Archivist. I expect this codicil to be completed shortly.

I look forward to working with you and Dr. Rhoads on this project.

Sincerely,

A handwritten signature in cursive script, reading "Jimmy Carter". The signature is written in dark ink on a light background.

The Honorable Jay Solomon  
Administrator of General Services  
Washington, D.C. 20405



WASHINGTON

DATE: 24 JUL 78

FOR ACTION: STU EIZENSTAT

JACK WATSON

FRANK MOORE (LES FRANCIS)

INFO ONLY: THE VICE PRESIDENT

JODY POWELL

ANNE WEXLER

JIM MCINTYRE

JERRY RAFSHOON

SUBJECT: LIPSHTUZ CARTER CARDOZO MEMO RE DISPOSITION OF  
PRESIDENTIAL PAPERS

+++++  
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +  
+ BY: +  
+++++

ACTION REQUESTED: IMMEDIATE TURNAROUND

STAFF RESPONSE: ( ) I CONCUR. ( ) NO COMMENT. ( ) HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

Bill - what  
is status  
of SE  
comment?

	FOR STAFFING
	FOR INFORMATION
<input checked="" type="checkbox"/>	FROM PRESIDENT'S OUTBOX
<input checked="" type="checkbox"/>	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND
	NO DEADLINE
	LAST DAY FOR ACTION -

ACTION  
FYI

	ADMIN CONFID
	CONFIDENTIAL
	SECRET
	EYES ONLY

	VICE PRESIDENT
<input checked="" type="checkbox"/>	EIZENSTAT
	JORDAN
	KRAFT
<input checked="" type="checkbox"/>	LIPSHUTZ
<input checked="" type="checkbox"/>	MOORE
	POWELL
<input checked="" type="checkbox"/>	WATSON
	WEXLER
	BRZEZINSKI
<input checked="" type="checkbox"/>	MCINTYRE
	SCHULTZE

	ARAGON
	BOURNE
	BUTLER
<input checked="" type="checkbox"/>	H. CARTER
	CLOUGH
	COSTANZA
	CRUIKSHANK
	FALLOWS
	FIRST LADY
	GAMMILL
	HARDEN
	HUTCHESON
	JAGODA
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	PRESS
	RAFSHOON
	SCHNEIDERS
	VOORDE
	WARREN
	WISE

	ADAMS
	ANDRUS
	BELL
	BERGLAND
	BLUMENTHAL
	BROWN
	CALIFANO
	HARRIS
	KREPS
	MARSHALL
	SCHLESINGER
	STRAUSS
	VANCE

WASHINGTON

DATE 24 JUL 78

FOR INFO CHU EXEMPT

JACK WATSON

FRANK MOORE (LES FRANCOIS)

INFO ONLY THE VICE PRESIDENT

JODY POWELL

ANNE WEXLER

JIM MCINTYRE

JERRY HAFSHOON

SUBJECT LIPSHTUZ CARTER CARDOZO MEMO RE DISPOSITION OF  
PRESIDENTIAL PAPERS

ic: FM ✓  
SL ✓  
HL ✓  
Ronna ✓

+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +

+ BY: +

Immediate Turnaround

ACTION REQUESTED: IMMEDIATE TURNAROUND

STAFF RESPONSE: ( ) I CONCUR. ( ) NO COMMENT. ( ) HOLD.

- Cable--
- 1) Approve negotiations between ten and fifteen years.
  - 2) Approve.
  - 3) Stick to effective date after the second term.
  - 4) Let the bill follow its own course, continue to attempt to amend it per my preferences, but not try to kill it.

THE WHITE HOUSE  
WASHINGTON  
July 27, 1978

Tim Kraft  
Jim Gammill

The attached was returned in the President's outbox today and is forwarded to you for appropriate handling.

Jim - please notify Sec. Marshall.

Rick Hutcheson

COMMISSION ON COAL INDUSTRY

		FOR STAFFING
		FOR INFORMATION
		<input checked="" type="checkbox"/> FROM PRESIDENT'S OUTBOX
		<input checked="" type="checkbox"/> LOG IN/TO PRESIDENT TODAY
		IMMEDIATE TURNAROUND
		NO DEADLINE
		LAST DAY FOR ACTION -

Jim - pls notify Secretary  
*Marshall*

ACTION  
FYI

		ADMIN CONFID
		CONFIDENTIAL
		SECRET
		EYES ONLY

		VICE PRESIDENT
		EIZENSTAT
		JORDAN
		<input checked="" type="checkbox"/> KRAFT
		LIPSHUTZ
		MOORE
		POWELL
		WATSON
		WEXLER
		BRZEZINSKI
		MCINTYRE
		SCHULTZE

		ARAGON
		BOURNE
		BUTLER
		H. CARTER
		CLOUGH
		COSTANZA
		CRUIKSHANK
		FALLOWS
		FIRST LADY
		<input checked="" type="checkbox"/> GAMMILL
		HARDEN
		HUTCHESON
		JAGODA
		LINDER
		MITCHELL
		MOE
		PETERSON
		PETTIGREW
		PRESS
		RAFSHOON
		SCHNEIDERS
		VOORDE
		WARREN
		WISE

		ADAMS
		ANDRUS
		BELL
		BERGLAND
		BLUMENTHAL
		BROWN
		CALIFANO
		HARRIS
		KREPS
		MARSHALL
		SCHLESINGER
		STRAUSS
		VANCE

THE WHITE HOUSE  
WASHINGTON

July 26, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: TIM KRAFT  
JIM GAMMILL *in C*

SUBJECT: Commission on the Coal Industry

In June you announced three of the five public members of the Commission on the Coal Industry. The two members yet to be named include the labor and management members.

Secretary Marshall has forwarded two additional names, Marvin Friedman to represent the United Mine Workers Union and Jesse Core to represent the Bituminous Coal Operators.

Mr. Friedman, of Washington, is Vice President of Ruttenberg, Friedman, Kilgallon, Gutchess & Associates, a firm that specializes in manpower studies and the collective bargaining process. Mr. Friedman, an economist, assisted the UMWA in the last contract negotiation. Mr. Friedman was on the staff of the AFL-CIO and the Chemical Workers Union for a combination of 18 years. He is highly regarded in the labor movement.

Mr. Core, of Pittsburgh, is a mining engineer who currently serves as a consultant for Coal Projects for U.S. Steel. He has spent more than forty years in various positions in the mining industry and has a good understanding of the problems from a management perspective.

Core and Friedman are the consensus choices of each group. We concur with Landon Butler and Secretary Marshall that they be appointed to the Coal Commission.

RECOMMENDATION

The following individuals be appointed to serve on the President's Commission on the Coal Industry.

✓  
\_\_\_\_\_  
Marvin Friedman (Labor Member)

✓  
\_\_\_\_\_  
Jesse R. Core (Management Member)

*J*

MARVIN FRIEDMAN  
Washington, D.C.

PROFESSIONAL

1969 - Present	Ruttenberg, Friedman, Kilgallon, Gutchess & Associates, Inc., Vice President, Economics and Manpower Specialists Firm
1961 - 1969	AFL-CIO, Research Department Staff Economist until 1967; appointed Assistant Director
1951 - 1961	International Chemical Workers Union, Assistant Director of research and education; Director of Legislative Department

EDUCATION

1949	Rutgers University
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CIVIC ACTIVITIES

National Labor-Management Manpower Policy Committee  
1964-1968  
National Manpower Advisory Committee, Subcommittee  
on Research, 1963-1967  
USES Research Advisory Committee  
Curriculum Development Advisory Committee  
for Vocational Education, 1964-1966  
BLS Labor Research Advisory Council, Chairman  
1962-1968  
BLS Labor Advisory Committee on Manpower  
and Employment Statistics, 1961-1968  
Federal Statistics Users' Conference, Board of  
Trustees, 1962-1968  
Industrial Relations Research Association,  
D.C. Chapter, Board of Trustees 1973-1976;  
Chairman 1975-1976

JESSE R. CORE  
Pittsburgh, Pennsylvania

PROFESSIONAL

1951 - Present	U.S. Steel Corporation, Joined U.S. Steel's Frick District in 1951 as Mining Engineer, appointed Chief Engineer for the District in 1954 and General Super- intendent in 1955; appointed Vice President in charge of coal operations until eleva- tion to present position as Consultant-Coal Projects
1950 - 1951	Island Creek Coal Company, Chief Engineer
1947 - 1950	Buckeye Coal Company, Chief Engineer of Coal Mines
1938 - 1947	Pittsburgh Coal Company, Various positions
1935 - 1938	Hillman Coal and Coke Company, Coal Miner

EDUCATION

1937	Pennsylvania State University
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ACTIVITIES AND AWARDS

Coal Division of the American Mining Congress,  
Chairman

Executive Committee of Keystone Bituminous Coal  
Association, Chairman

Coal Mining Institute of America, Past President

Ersking Ramsay Medal Award from AIME, 1971



U. S. DEPARTMENT OF LABOR

OFFICE OF THE SECRETARY

WASHINGTON

JUL 21 1978

MEMORANDUM FOR THE PRESIDENT

FROM: SECRETARY OF LABOR, Ray Marshall *RM*

SUBJECT: Status of the President's Commission on  
the Coal Industry

The purpose of this memorandum is to provide a status report on the President's Commission on the Coal Industry. Since you issued the Executive Order creating the Commission on May 26, 1978, Jay Rockefeller, Willard Wirtz, Jim Schlesinger and I have been meeting regularly to lay the necessary groundwork.

I am very pleased with the progress we have made thus far. Your choice of Jay Rockefeller as Chairman was a wise one--he has been energetic in his work and I am certain that his leadership will be important in the eventual production of a quality set of recommendations. The sense of the meetings thus far has been that the Commission should interpret its mandate broadly and strive to produce a practical short and long run strategy that will go beyond the single important issue of labor-management relations. In short, we hope to uncover the root causes of this industry's ills. Staff from the Departments of Energy and Labor are already gathering factual information which will be useful to the Commission. The first official meeting is scheduled for September and the report will be due one year after that meeting.

I have forwarded to the White House recommendations for the remaining two Commission vacancies. The nomination from the United Mine Workers is Marvin Friedman, a respected expert in employment and

training matters. The Bituminous Coal Operators' have nominated Jesse F. Core, a former Vice-President for Coal Operations at U.S. Steel. It will be important to make these nominations in a timely manner so that the Commission's work can proceed on schedule. Also, Jay Rockefeller and I have been interviewing candidates for the position of Executive Director. We hope to make a final selection by the end of this month.

If you have any questions on this matter, please let me know. I will send you periodic information memos on this subject.

ID 783749

THE WHITE HOUSE

WASHINGTON

DATE: 21 JUL 78

FOR ACTION:

2/24  
my unit

INFO ONLY: THE VICE PRESIDENT

STU EIZENSTAT

JACK WATSON

ANNE WEXLER

LONDON BUTLER

JIM GAMMILL -

comment  
xp. Thursday

SUBJECT: MARSHALL MEMO RE STATUS OF PRESIDENT'S COMMISSION ON  
THE COAL INDUSTRY

+++++  
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +  
+ BY: +  
+++++

ACTION REQUESTED:

STAFF RESPONSE: ( ) I CONCUR. ( ) NO COMMENT. ( ) HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

5:30 PM

THE WHITE HOUSE

WASHINGTON

FOR THE PRESIDENT AND MRS. CARTER

FROM GRETCHEN POSTON *GP*

DATE: 26 July 1978

SUBJECT: RECEPTION--following Seminar on Employment  
5:00 P.M. on 27 July 1978  
State floor - 500 guests

5:00 P.M. All guests arrive Southeast Gate (on buses) or Southwest Gate (individually) to Diplomatic Reception Room. Proceed to State floor, to State Dining Room, for refreshments.

(U.S. Army String Quartet in State Dining Room.)

5:30 P.M. Social Aides escort guests to Main Hall.

(Press pen set up in Main Hall between North Portico door and Usher's Office.)

The PRESIDENT and MRS. CARTER arrive State floor via elevator. Proceed to foot of Grand Staircase, in Main Hall, for remarks.

(Press coverage of remarks.)

5:45 P.M. The PRESIDENT departs State floor.

6:30 P.M. All guests depart Residence.

THE WHITE HOUSE

WASHINGTON

July 26, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: JIM FALLOWS, ERIC SCHNURER <sup>JHD for JF</sup> <sup>EBS</sup>

SUBJECT: Talking Points for Mrs. Carter's  
Communities Projects Group

1. I am glad to see not only the many fine participants in today's employment seminar, but also many of the outstanding leaders in our own Washington community, who have given Mrs. Carter and me so much help.
2. All of us here have a special responsibility -- as business men and women, leaders in community affairs, respected members of the clergy, and Presidents -- to use our positions and influence to help make our country better. I have often called for this kind of commitment to helping others. At your seminar today you learned of many successes in this area. You met some of the often unheralded Americans who have shown that individuals can make a difference on their own.
3. Earlier this year, I announced a new urban policy to help revitalize our communities. Many of these programs concentrate on exactly what you discussed today -- jobs for the elderly and youths, women and minorities. In the past 18 months, we have made amazing progress in reducing unemployment, which is at its lowest level since President Johnson was in the White House. More jobs were created in the past 12 months

than in any other year in history. More Americans are now at work than ever before. But we still have lots of work ahead of us. I know that you and people like you back home are going to help us put still more Americans back in the job force.

4. My new urban policy is also working to build a New Partnership between the private sector and all levels of government. We want to involve business leaders, neighborhood and community groups, volunteer programs, representatives from labor, and many other Americans in these programs. They will all help revitalize our urban communities. Your efforts are so important in this program.

5. I was excited to read about projects like ABLE in Chicago, and the people in Woodstock, Vermont, who are helping the elderly find part-time employment. The government can't solve all our unemployment problems. Projects like these help private citizens reach out a hand to other Americans. Programs like these encourage people within our communities to work together -- toward a common goal -- the same goal we are aiming at in the New Partnership.

# # #

THE WHITE HOUSE  
WASHINGTON

July 27, 1978

Jack Watson

The attached was returned in  
the President's outbox today  
and is forwarded to you for  
appropriate handling.

Rick Hutcheson

THE WHITE HOUSE  
WASHINGTON

July 27, 1978

C  
/

MEMORANDUM FOR MEMBERS OF THE CABINET

FROM: Jack Watson *Jack*  
SUBJECT: CABINET MINUTES FOR THE MEETING  
HELD ON MONDAY, JULY 24, 1978

Due to the nature of the contents of the attached minutes, they are only being distributed to Cabinet Members with the request that no copies or distribution be made, and that they be kept "for your eyes only."

Thank you.

Why not do this every time?  
J

Attachment



# THE WHITE HOUSE

WASHINGTON

## MINUTES OF THE CABINET MEETING

Monday, July 24, 1978

The fifty-second meeting of the Cabinet was called to order by the President at 9:06 a.m., Monday, July 24, 1978. All Cabinet Members were present, except Griffin Bell, who was represented by Deputy Attorney General Benjamin Civiletti; Harold Brown, who was represented by Deputy Secretary Charles Duncan; Joseph Califano, who was represented by Under Secretary Hale Champion; Patricia Harris, who was represented by Under Secretary Jay Janus; Ambassador Andrew Young, who was represented by U. S. Deputy Representative to the Security Council Donald McHenry; and Zbigniew Brzezinski, who was represented by David Aaron. Other persons present were:

Joseph B. Anderson	Frank Moore
Joe Aragon	Dick Pettigrew
Alan Campbell	Frank Press
Frank Carlucci	Jerry Rafshoon
Hugh Carter	Bob Russell
Doug Costle	Greg Schneiders
Gene Eidenberg	Jay Solomon
Stu Eizenstat	Claudia Townsend
Les Francis	Anne Wexler
Bob Lipshutz	John White
Dick Moe	Jack Watson

1. The President began the meeting by stressing the importance of having each Cabinet Secretary work closely with Jerry Rafshoon. He reported that Jerry will be working with the Cabinet, senior White House staff and others to project the major themes of the Administration's initiatives. If members of the Cabinet have suggestions of particular themes to be emphasized, or of uses of the President's time that will most effectively assist in dramatizing those themes, they should contact Jerry directly.

-- The President complimented Secretary Blumenthal for his very effective appearance on Meet the Press yesterday. The President specifically commented on the Secretary's excellent handling of questions on American-Soviet trade.

-- Jerry Rafshoon commented that there is a great deal the Administration has accomplished for which it is not getting credit; that is a situation that can, and must, be changed.

-- The President commented that Speaker Tip O'Neill is very effective in pointing out the accomplishments of the Administration, and that the Administration should follow his good example.

-- The President reported that Mrs. Carter would be meeting later today with the Editorial Board of the New York Times. He also said that he thought last week's U.S. News and World Report cover story was a generally fair and balanced account. The President emphasized that the Administration fails both itself and the country when it does not effectively communicate its achievements.

2. The President noted that the '78 election campaign would be intensifying in the weeks ahead, and that the Cabinet members should continue their efforts on behalf of Democratic candidates. Frank Moore continues to coordinate the scheduling of Cabinet and sub-Cabinet officers' appearances. The President said that he is optimistic about the results of the upcoming elections.

3. The President asked Mr. Schultze to comment briefly on the status of the economy. Mr. Schultze reported that the Commerce Department's figures released last week showed that the rate of growth for the second quarter was running at 7.4 percent, slightly below the 8-9 percent rate the Council had been projecting. The drop in last month's figures is attributable in part to a one-time large redemption of Commodity Credit Corporation loans. With this one exception, the other indicators were all on track. The rate of inflation is running currently at 9.5-10 percent. Later this week, we will have new figures on the Consumer Price Index (CPI) which, Mr. Schultze predicted, will not be encouraging with respect to the inflation rate. Mr. Schultze reported that the inflation rate increases in the past several months have been sufficiently large that the twelve-month, December-December, figure will also be larger, even though the inflation rate should moderate for the remainder of this year. Despite the inflationary pressures, housing starts remain strong.

-- Ms. Kreps suggested the slower than anticipated growth rate figures constitute a strong argument for a tax cut. Mr. Blumenthal commented that there is very strong support in the Congress for a tax cut, and that the question now before the Congress was what kind of cut should be enacted.

-- The Vice President asked for a status report on the tax cut discussions on the Hill. Mr. Blumenthal responded that the Administration's position is very clear-- a proposal for a \$19.4 billion cut with no capital gains reductions. The situation within the House Ways and Means Committee is not clear. The Democratic members are divided. No single proposal, the Administration's or any other, has the necessary 19 votes required for passage. The Republican members of the Committee are solidly supporting a significant reduction in capital gains taxes and are opposing the Administration's proposal. The Chairman of the Committee, Mr. Ullman, is supporting the Jones alternative to the Steiger capital gains proposal. Either proposal would have the extremely adverse effect of eliminating the "minimum tax" reform enacted in 1969. Neither the Jones nor Steiger proposal would help the average taxpayer at all. Congressman Joseph Fisher's compromise proposal, which would preserve the current minimum tax requirement, appears to have an increasing measure of support.

-- The President commented that, contrary to an article in the New York Times this morning, there is absolutely no dispute or difference of position between himself and Mr. Blumenthal on this matter.

4. The President asked Secretary Marshall to report on the status of the postal workers' contract negotiations.

-- Mr. Marshall reported that the results of the negotiations are within acceptable bounds from the Administration's point of view. The Postal Service conceded to the unions in preserving the "no lay-off" clause in the contract in exchange for which moderate wage increases have been achieved. Mr. Marshall emphasized the importance of Administration officials' not commenting on the new contract until the ratification process is completed. Mr. Marshall believes the contract will be acceptable to most postal workers, although there are reports of some wildcat actions in New York and California in protest over the proposed terms of the agreement.

5. The President asked Alan Campbell to discuss the status of the civil service reform bill.

-- Mr. Campbell indicated that although the House and Senate Committees were preserving most of the Administration's priority items, the House bill has several serious limitations in it which we will have to try to correct on the floor. Mr. Campbell anticipates a vote in the House on August 9 and will be calling upon Cabinet members for specific help this week and next. With continuing hard work, there is a real possibility of getting a good bill out of Congress this year--a result few people predicted when the President announced his proposal.

-- The President asked each Cabinet member to give requests for assistance from Scotty Campbell a top priority.

6. The President asked Secretary Adams to report on the status of the airline deregulation bill.

-- Mr. Adams reported that the bill will be before the House Rules Committee on Tuesday. The procedural questions (an open or closed rule on the Noise Bill) will be important to the bill's progress on the floor. Another objective is to preserve options for the conference committee. If positions are taken too firmly in the House, it will make the conference committee process much more difficult.

7. The President asked Hale Champion to comment on the status of the hospital cost containment legislation.

-- Mr. Champion indicated the bill was still "in very bad shape" after last week's one-vote defeat in the House Committee on Interstate and Foreign Commerce. A tentative agreement has been reached with Senator Talmadge on a bill which would place controls on reimbursements under Medicaid and Medicare. Senator Nelson has an amendment to extend the Talmadge bill to cover all third party reimbursements. If the Nelson amendment carries, the projected savings to the economy would be approximately sixty percent of the Administration's original proposal. The situation in the House Ways and Means Committee remains unclear, even if a Talmadge/Nelson bill were to make it through the Senate. Senator Long has not yet indicated his position on these alternatives.

-- The President noted that a Talmadge/Nelson compromise would not be bad from the Administration's perspective.

8. The President asked Secretary Vance to report on the status of Congress' consideration of lifting the Turkish arms embargo and of U.S. trade restrictions on Rhodesia (i.e., the Helms Amendment).

-- Mr. Vance said that Senate support for lifting the Turkish embargo is increasing. He expressed grave concern over the possible passage of the Helms Amendment. He indicated that the heads of African states are watching this matter very closely and expect us to keep the trade restrictions in force. Passage of the Helms Amendment would have extremely serious consequences for our African policy and would adversely affect both the Namibian negotiations and the hope for a settlement of the Rhodesian conflict.

-- The Vice President underscored Mr. Vance's concerns. The President also expressed his deep concern over the consequences of the passage of the Helm's Amendment.

-- Mr. Vance said that the recent meetings in England between the Foreign Ministers of Israel and Egypt (in which the Secretary participated) were candid, useful and necessary. He reported that the meetings will continue in ten days or so in the Middle East, and that he will return to participate in them. The Secretary emphasized the American role of helping to keep the two sides talking with each other.

9. The President asked Ambassador McHenry to report on the negotiations to resolve the Namibian question.

-- Mr. McHenry said that all parties had been dealt with in a consistent and forthcoming matter, and that South Africa had always known that we desired to deal with the question of Walvis Bay after agreement had been reached on the other outstanding issues. South Africa is now, however, raising the Walvis Bay issue, and how we handle it will have a significant effect on keeping the agreement intact.

10. The President asked Frank Press to report on his recent trip to China.

-- Dr. Press underscored the Chinese desire for American cooperation in a number of areas. For example, the Chinese will be seeking substantial student exchanges and opportunities for investment of American capital in China. Dr. Press reported that the Chinese officials with whom he met did not make normalization of relations between China and the U.S. a precondition of these further steps.

-- The President congratulated Dr. Press on a very successful trip with a very distinguished group of American government research leaders. The President said that China has been straightforward in seeking assistance from the U.S. in their areas of greatest need. He also noted that the Chinese are ready and willing to pay for the assistance they require.

11. The President asked Secretary Schlesinger to brief the Cabinet on the status of the energy legislation.

-- Dr. Schlesinger reported that the natural gas pricing bill should reach the floor of the Senate by Tuesday or Wednesday of next week. A filibuster is expected. Our strategy is to deal with this bill ahead of the others in the package. The energy tax bill also remains in serious trouble, and there may be trouble getting it scheduled this year. Dr. Schlesinger reported that there was some talk on the Hill to the effect that a special session after the election might be called to deal with energy taxes.

-- The Vice President urged great caution before even considering a special session after the election. His experience with such sessions makes him very skeptical of their usefulness.

-- The President said that he was not even considering a special session, and that that should be made clear on the Hill.

-- Dr. Schlesinger reported on the status of DOE's enforcement of four and five-year-old oil price control cases involving both criminal and civil charges. He expects some settlements on the civil side and feels that enforcement will have to proceed in many of the other cases. These enforcement actions grow out of the price controls imposed in 1971.

12. The President asked Secretary Andrus to report on the Alaskan D-2 lands bill.

-- Mr. Andrus reported that mark-up in the Senate Committee could take several more weeks. He also expressed concern that if both Senators from Alaska continue to oppose the bill, the Majority Leader would be disposed not to schedule the bill this year. Mr. Andrus emphasized the importance of having the bill voted before adjournment. He is continuing to work on getting the bill to the Senate floor for a vote where he believes we have the votes to secure passage.

-- Mr. Andrus said that the House D-2 bill is more liberal than the Senate bill, but that he believes that compromise between the two bills will be close to the Administration's position.

-- The President asked Mr. Andrus whether, if no bill passes this year, the Administration would retain control, under existing law, over the uses to which the Alaskan land can be put. Mr. Andrus said yes.

13. Secretary Adams reported that the DOT appropriations bill passed the Congress at a figure lower than the President's budget. Mr. Adams suggested a White House signing ceremony to underscore the President's commitment to reduced Federal spending.

14. Secretary Kreps commented briefly on a recently published report entitled, "The Management of Weather Resources," which she has distributed to the Cabinet.

-- Secretary Vance commented on the extreme sensitivity in the international community on the subject of "weather modification".

15. Secretary Marshall reported on the latest efforts to pass the labor law reform bill. One more vote is needed to break the filibuster that would continue if the bill were brought back to the Senate floor. Mr. Marshall expressed his regret that the business community has viewed the bill as such a threat and opposed it so stridently. It is a moderate bill, the passage of which would be in the long-run, best interests of business.

-- The President endorsed Mr. Marshall's analysis of the bill and its effects. He went on to note that recent published accounts of a break in relations between himself and Mr. Douglas Fraser of the United Automobile Workers were incorrect.

16. Mr. Blumenthal reported on the status of the dollar in international money markets. The dollar has weakened further against the Japanese Yen and dropped below the \$200.00 rate of exchange. There was modest erosion against the German Deutschmark, but the dollar remained stable against the Pound Sterling.

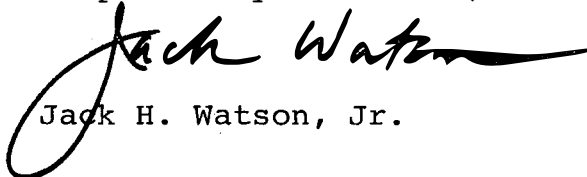
-- Mr. Blumenthal also reported that a Committee of OPEC (Oil Producing Exporting Countries) had voted to change the international currency basis on which oil is traded. The Secretary is in communication with the Saudi Finance Minister to get details on the Committee's recommendations.

17. The President said that he is considering going to New York City to sign the recently passed NYC financing legislation.

18. Secretary Vance noted that not enough attention is being given to the significance of the agreement at the Bonn summit to take effective action against terrorists. Mr. Vance described the Bonn agreement as the first time "real teeth" have been put into existing international conventions against air piracy.

The President adjourned the meeting at 10:33 a.m.

Respectfully submitted,



Jack H. Watson, Jr.



THE WHITE HOUSE  
WASHINGTON

7-27-78

To Elder Smith

Jack Watson has written  
Mr. Dusenberry. The Corps  
insists that their lakeshore  
plans are applied uniformly  
on a given lake and  
that Hartwell is treated  
much better than most  
others.

Good luck -

Jimmy

THE WHITE HOUSE

WASHINGTON

July 25, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON *Jack*  
SUBJECT: Letter from James Dusenberry  
Regarding Shoreline Management of  
Lakes by the Corps of Engineers

Last week you asked that I investigate the concerns Dr. Dusenberry raised regarding Lake Hartwell in South Carolina. I have done so and concluded that the regulations concerning private building and facilities on these shorelines are applied uniformly throughout the nation, and that they are consistent with federal laws and statutes.

I have drafted the attached letter for my signature, rather than yours, to Dr. Dusenberry, because I fear that he and the Property Owners Association will not be pleased with the answer, and I would rather they be upset with me than with you. If you would prefer to sign the letter yourself, or want it changed in any way, I shall redraft it and get it out immediately.

THE WHITE HOUSE

WASHINGTON

July 26, 1978

Dear Dr. Dusenberry:

The President personally asked me to respond to your letter of June 27th.

The shorelines of lakes built by the Corps of Engineers are public property. The width of this publicly-owned band of property varies from lake to lake, but is usually three hundred feet. Under the Flood Control Act of 1944, the Secretary of the Army was given the responsibility for administration of this shoreline property and delegated to the U. S. Army Corps of Engineers the responsibility of implementing appropriate regulations.

A proliferation of private boat docks and backyard encroachments occurred along the shorelines at older lake projects administered by the Corps. However, the practical effect of this was reduction of access to the property by the general public. A variety of public interest groups and governmental bodies criticized the Corps' failure to ensure the availability of these public lands to the general public, and the Corps responded to this criticism in 1974 by adopting a lakeshore management plan for each lake project. These plans are to ensure continued public use of shorelines, to restore shorelines where degradation has occurred, and to protect desirable environmental values of lake projects.

Lakeshore control for new projects, adopted during the project planning stage, has been well accepted by the public. The adoption and implementation of lakeshore management plans at older projects has, not unexpectedly, been much more controversial. The plans for these areas tend to be resisted by adjacent landowners and to be applauded by State governments, environmental groups, fish and wildlife agencies and nonresident private interest groups.

James F. Dusenberry, Jr., M. D.

July 26, 1978

Page Two

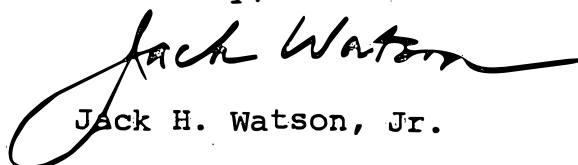
I understand that Lake Hartwell is the second most popular Corps lake in terms of annual visitations. The Project was built in the 1950's under a policy which prescribed a minimum taking for project purposes of private property around the perimeter of the reservoir. The public land varies from a minimum of 20 to 50 feet to a maximum width of 300 feet. The shoreline is characterized by heavy development -- over 400 subdivisions -- and a profusion of private boatdocks.

The lakeshore plan for Lake Hartwell provides for the allocation of the shoreline into four categories: limited development where private exclusive use and facilities will be permitted; and public recreation areas, protected areas and prohibited areas where private exclusive use and facilities will not be permitted. The Lakeshore Management Regulation, and the lakeshore plan for Lake Hartwell which was derived from it, recognize the private investment in existing facilities and provide that such private facilities may remain in place in other than limited development areas until the current owner and spouse die or the property is sold.

The Corps has tried to provide a well balanced plan for development of lake resources for the benefit of the public at large, while recognizing the existing private investment that has occurred. The Corps is enforcing the law consistently throughout the nation. In fact, the proposal for Lake Hartwell is considerably less restrictive than other plans, in that 50% of the shoreline classified for limited development is open for private exclusive use.

I hope this information will help clarify the situation for you and that you will understand the necessity for the regulations.

Sincerely,

A handwritten signature in dark ink, reading "Jack H. Watson, Jr.", with a stylized, flowing script.

Jack H. Watson, Jr.

James Franklin Dusenberry, Jr., M.D.  
111 Lakeview Circle  
Clemson, South Carolina 29631

James Franklin Dusenberry, Jr., Ch. L.  
111 LAKEVIEW CIRCLE  
CLEMSON, SOUTH CAROLINA 29631  
803-654-5741

June 27, 1978

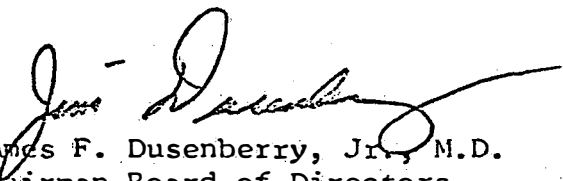
The President of the United States  
White House  
Washington, D.C. 20000

Mr. President,

According to Mr. and Mrs. E.F. Smith of Seneca, S.C., I have been asked to inform you of our difficulties with the Corp of Engineers on Lake Hartwell. I am aware that this is not localized to Lake Hartwell. There has also been a problem on Lake Lanier. I am conversent with difficulties in Tex., Okla., Kan., and N. Dak.

In its greatest simplicity, this is a prime example of loss of control by the United States Government to one of its bureaucratic agencies. That is not meant in any fashion to be a flippant or casual statement. The second page of this communication will hit the highlights of our difficulties. Any help that you or your aides can give us and or work with us and our congressmen Butler Derrick, M.C. Third District S.C., Dem., Sen. Strom Thurman, S.C., and Sen. Fritz Hollands, S.C. will be appreciated. Others will and can be named at a later date.

Respectfully yours,

  
James F. Dusenberry, Jr., M.D.  
Chairman Board of Directors  
Lake Hartwell Property Owners Association

Telephone Numbers where I may be reached by your aides:

Daytime- 803-882-5750  
Home or Night- 803-654-5741  
LHPOA Ex. Dir. Atty. Michael Hawkins- office- 803-225-0531  
P.O. Box 1414  
Anderson, S.C. 29622

To J. Watson. These  
Determine whether I do  
regulations (of which I do  
not disapprove) are applied  
uniformly or a give  
fake & through  
nation -  
(brief) J

# Property Owners Association, Inc.

P. O. Box 1414 • Anderson, S. C. 29622

June 27, 1978

The President of the United States  
White House  
Washington, D. C. 20000

Mr. President,

The Lake Hartwell Property Owners Association is in favor of a Lakeshore Management Plan as is the Corp of Engineers. Our ideas of implementation are extremely divergent.

Our wishes are simple. We would like to continue to have docks and grass in subdivision areas. We feel that a change in this would greatly compromise valuation of property and also ad valorem taxes. We recommend strong enforcement of safety precautions as regards docks. Also, there is great controversy as to underbrushing and mowing of grass. There are those in subdivisions who would like to see the lake whereas the C.O.E. insists that the shore line return to a "natural status".

You will be getting a great deal of complaints from people around new C.O.E. lakes (e.g. Richard B. Russell) where there will be a mandatory 300 foot buffer where no mowing and only "natural vegetation" will be allowed. No docks will be allowed. I doubt that the lake will be visable from private land.

In a 1973 Federal Registry the C.O.E. published a Lakeshore Management Plan. In 1974 they had an obscure meeting to inform the populous of such a plan. A scheduled hearing for the implementation of the plan was held in Lavonia, Ga. on Feb. 3, 1976. At that time we were brusquely told by Colonel Edwin Kaiser that the meeting was a "telling and not a hearing" and what was said by us was of no importance. Some 600 people were present. Less than one dozen were in favor of his plan.

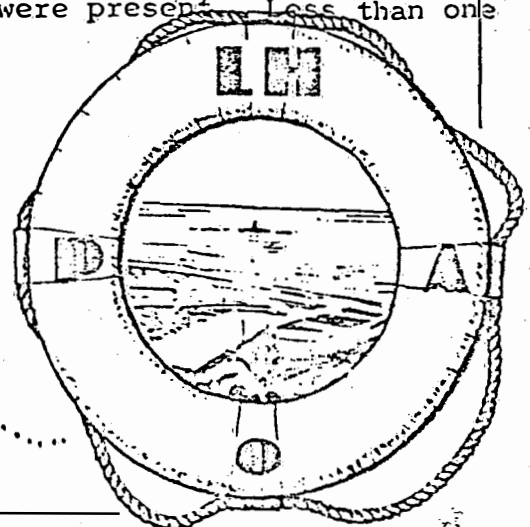
President  
James F. Dusenberry, Jr., M.D.  
111 Lakeview Circle  
Clemson, S. C. 29631

Vice President—Ga.  
Emmett J. Cassett  
Rt. 2, Box 67C  
Lavonia, Ga. 30553

Vice President—S. C.  
Paul Kaiser  
Route 4  
Anderson, S. C. 29621

Secretary  
Lucille Kaiser  
Route 4  
Anderson, S. C. 29621

Treasurer  
John Marlanos  
Route 2  
Anderson, S. C. 29621



# Property Owners Association, Inc.

P. O. Box 1414 • Anderson, S. C. 29622

-page 2-

Subsequent to this meeting we formed the LHPOA and began to accumulate data and document the rough--shod methods of the C.O.E. Secondary to this we had a Congressional Sub-committee on Public Works and Transportation, chaired by Jim Wright, M.C. hold a hearing in Anderson, S.C. on Sep. 10 and 11, 1976. The result of this meeting was no more than the fact that a hearing was held. However, it did substantiate the LHPOA contention that the C.O.E. had violated its own rules re: public input. A second public hearing was held in Oct. 1976 and was conducted by Colonel Frank Walter. At that time a community council was thought to be an answer. This was overwhelmingly stacked against the LHPOA and for the better part of one year our group attempted to reach some compromise but were unable to do so primarily because of personality conflicts within the group.

On May 25th, 1978, a "final Draft" was presented to the populous. By a show-of-hand vote, which has been duly recorded in the press, there were 600 in favor of our proposed Lakeshore Management Plan and only four in favor of the C.O.E. plan. We lost! We were told at the termination of this meeting that it mattered not one iota what we had said or proposed. Therefore, once again we were faced with a situation of this not being a public hearing for input but a public telling of the plan.

The sum and substance of our contention is that the C.O.E. has arbitrarily determined that certain parts of the shoreline should not have docks and none to have grass even though it may be within the city limits or a community in a limited-development (subdivision) area. The prime reason given is that these docks are not "aesthetic". The present docks are grandfathered for one owner-ship. There can be no arbitration or compromise on grandfathering because it is a "national rule". But, the "national rule" was made up by the C.O.E. and not by legislative action. No more lawns or grass areas are to be allowed anywhere. We fear ultimate removal of all docks. The entire C.O.E. basis of control is the 1944 Flood Control act giving them authority over all shorelines.

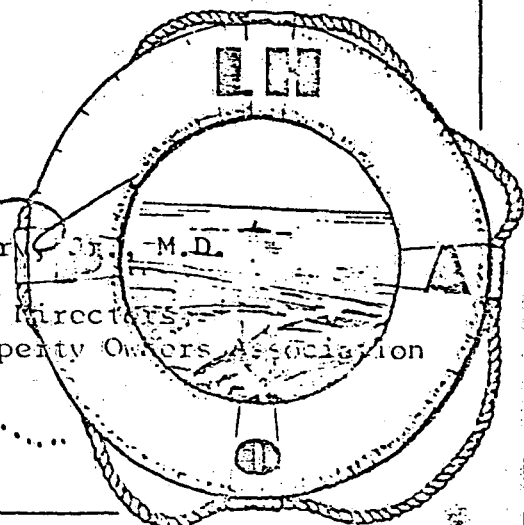
There is considerably more and this letter is already too long. I would be quite happy to explain this in greater depth to you or any of your aids.

Sincerely yours,



James F. Dusenberry, Jr., M.D.  
Pres. Ex officio

Chairman, Board of Directors,  
Lake Hartwell Property Owners Association



President  
James F. Dusenberry, Jr., M.D.  
111 Lakeview Circle  
Clomson, S. C. 29631

Vice President—Ga.  
Emmett J. Gossett  
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Lavonia, Ga. 30553

Vice President—S. C.  
Paul Kaiser  
Route 4  
Anderson, S. C. 29621

Secretary  
Lucille Kaiser  
Route 4  
Anderson, S. C. 29621

John Marianos  
Anderson, S. C. 29621

THE WHITE HOUSE

WASHINGTON

July 26, 1978

MEETING WITH MEMBERS OF THE 94th CAUCUS

July 27, 1978

9:30 a.m. (40 minutes)

The Red Room/The State Dining Room

From: Frank Moore *J. m/pd*

I. PURPOSE

To discuss issues of mutual interest and concern with the President.

II. BACKGROUND, PARTICIPANTS, AND PRESS PLAN

Background: Prior to meeting with the full membership of the 94th Caucus, the Caucus officers (Chris Dodd-Chairman, Tom Downey-Vice Chairman, Butler Derrick-Treasurer, Floyd Fithian-Secretary and Tim Wirth-past Chairman) would like to meet with you privately for 5-10 minutes in the Red Room. They would like to discuss:

- 1) Your image and how it is perceived on the Hill. These members want to help improve your image, which is viewed as being inconsistent, but are concerned about how to go about it. They will probably want to discuss what role Jerry Rafshoon plays and what they think are the real problems.
- 2) They want you to meet with them one more time prior to the adjournment of the Congress.
- 3) They will want to discuss this administration's posture on the tax bill.
- 4) The officers will suggest for your consideration the possibility of a nationally televised town meeting forum where Members of Congress ask the questions or some variation of the theme that would involve Members of Congress.
- 5) In addition, the group would like to suggest productive areas of discussion for you to address during the meeting.

Participants: See attached list.

Press Plan: White House Photographer.



### III. TALKING POINTS

Prior to taking questions from the group, I suggest you make a short statement to the effect that there is not much time left during this Congress; we are down to the wire with regard to enacting legislation. There are several important things that this Congress has to do in order for this Congress and my administration to be judged a success. We have to pass the following:

1--National Energy Plan--It is essential that the four parts agreed upon in conference be passed. That is not what I had asked for but it is a good plan and will move us down the road to a sound energy plan.

2--Tax Bill--We must enact a tax bill that has about a \$15 Billion tax cut, has the tax cut equitably spread across low and moderate income taxpayers, that provides incentive for capital formation and that does not reward a small number of very wealthy taxpayers.

3--Civil Service Reform--We must enact the civil service reform legislation this year. This could be one of the most popular issues in the upcoming campaigns. You and I both campaigned for reform in government and we must now campaign for passage of this legislation. (This group is generally supportive of civil service reform legislation, so you may want to hold your comments to a few words of support).

4--Airline Deregulation/Hospital Cost Containment--The polls all show inflation to be the number 1 problem. This Congress has the opportunity to take actions on both airline deregulation and hospital cost containment that will have a meaningful impact on controlling inflation. (Marty Russo will be present!)

5--Security Assistance Bill--The most important foreign policy issue remaining to be addressed by this Congress will be on the floor of the House next week. The repeal of the arms embargo against Turkey is in the best interest of our country and is vital to the stability and security of our NATO alliance. I realize it is not easy in this election year to vote against our good friends in the Greek community, but I firmly believe it is in the best interest of Greece, Turkey, of NATO and most of all the United States, that this embargo be lifted.

~~6--Supplemental Fiscal Assistance--As part of the urban policy, the Administration proposed a Supplemental Fiscal Assistance program. This program will provide \$1 Billion annually of fiscal assistance to financially strained local~~

governments. It is a two-year program. The bill is currently being considered by the Intergovernmental Relations and Human Resources Subcommittee (Cong. L.H. Fountain, Chairman) of the House Government Operations Committee. The following points could be made about the bill:

- This bill will help financially strained local governments maintain essential services without increasing the property tax burden on our citizens.
- Many cities and counties already have budgeted these funds. Congressional inaction probably will cause local tax increases or service cutbacks in an election year.
- The bill is in trouble. The Democratic Caucus of the Subcommittee voted 5-3 against any Fiscal Assistance program. A markup in the full Subcommittee is expected within the next week, at the soonest.
- This group's help is needed in communicating with the Subcommittee and full Committee members about the importance of this legislation to their districts.

## 94th Caucus Meeting

### Participants

The President  
Stu Eizenstat  
Frank Moore  
Bill Cable  
Valerie Pinson  
Jim Free  
Terry Straub

### Members-94th Caucus

Jerry Ambro (D-3-N.Y.)	Dick Ottinger (D-24-N.Y.)
Les AuCoin (D-1-Ore)	Jerry Patterson (D-38-Calif)
Al Baldus (D-3-Wisc)	Ed Pattison (D-29-N.Y.)
Max Baucus (D-1-Mont)	Fred Richmond (D-14-N.Y.)
Ed Beard (D-2-R.I.)	Ted Risenhoover (D-2-Ok)
Berkley Bedell (D-6-Iowa)	Marty Russo (D-3-Ill)
Mike Blouin (D-2-Iowa)	Jim Santini (D-Al Large-Nev)
Don Bonker (D-3-Wash)	Jim Scheuer (D-11-N.Y.)
Bob Carr (D-6-Mich)	Phil Sharp (D-10-Ind)
Bob Cornell (D-8-Wisc)	Paul Simon (D-24-Ill)
Norm D'Amours (D-1-N.H.)	
Butler Derrick (D-3-S.C.)	Caucus Treasurer
Chris Dodd (D-2-Conn)	Caucus Chairman
Tom Downey (D-2-N.Y.)	Caucus Vice-Chairman
Bob Edgar (D-7-Pa)	
John Fary (D-5-Ill)	Gladys Spellman (D-5-Md)
Joe Fisher (D-10-Va)	Paul Tsongas (D-5-Mass)
Floyd Fithian (D-2-Ind)	Caucus Secretary
Jim Florio (D-1-N.J.)	Henry Waxman (D-24-Calif)
Mark Hannaford (D-34-Calif)	Tim Wirth (D-2-Colo)
Herb Harris (D-8-Va)	Leo Zeferetti (D-15-N.Y.)
Bill Hefner (D-8-N.C.)	
Jack Hightower (D-13-Texas)	Susan Annable--staff member
Ken Holland (D-5-S.C.)	Alicia Windroth-- " "
Carroll Hubbard (D-1-Kentucky)	
Bill Hughes (D-2-N.J.)	
John Krebs (D-17-Calif)	
John LaFalce (D-36-N.Y.)	
Elliott Levitas (D-4-Ga)	
Jim Lloyd (D-35-Calif)	
Larry McDonald (D-7-Ga)	
Ab Mikva (D-10-Ill)	
George Miller (D-7-Calif)	
Toby Moffett (D-6-Conn)	
Rick Nolan (D-6-Minn)	
Henry Nowak (D-37-N.Y.)	

THE WHITE HOUSE

WASHINGTON

MEETING WITH SENATOR TED STEVENS

Thursday, July 27, 1978

3:00 p.m. (15 minutes)

The Oval Office

From: Frank Moore *f.m./pd*

I. PURPOSE

To listen to Senator Stevens' Alaska lands compromise; to inform him of the need for legislation this year; and to inform him the Administration plans to use whatever existing authorities are necessary to protect the land in the event legislation does not pass this year.

II. BACKGROUND, PARTICIPANTS & PRESS PLAN

A. Background: This meeting is at Senator Stevens' request. The Senator sees this meeting as an opportunity to reveal his bottom-line compromise on the Alaska lands bill. He will arrive with his maps and charts, none of which he has publicly revealed. However, Secretary Andrus is aware of the general outlines, and, as he indicates in the attached memo, the Secretary considers the proposal unacceptable.

In general, the Stevens' proposal covers 80 million acres, 67 million of which would be in impressively-named land management categories that allow substantial exploitation of oil, gas and mineral resources and timber harvesting. The proposal is far away from our bottom line which is incorporated in the recommendation you sent to the Congress.

B. Participants: The President, Secretary Andrus, Senator Stevens, Frank Moore, Bob Thomson, Cynthia Wilson (Interior), Steven Silver (Senator Stevens' LA)

C. Press Plan: White House Photo Only.

### III. TALKING POINTS

1. "I appreciate your willingness to talk about this issue and your attempt to work with the Committee and others to arrive at a solution. I must tell you candidly, however, that we remain strongly committed to the principles in the recommendation I sent to Congress. I will be very reluctant to accept any level of protection less than that. That proposal called for protection of 92 million acres in national parks, wildlife refuges, wild and scenic rivers and national forests, with some overlapping wilderness areas.
2. "I cannot make a judgment about the proposal you have presented until I and my staff have had the opportunity to study it in depth. Secretary Andrus will be in touch with you after this has taken place.
3. "We badly need a strong bill this year. If no legislation is forthcoming, we have no choice but to use whatever existing authority is necessary to protect the lands in Alaska. Obviously, I would prefer to follow another course, but I will have no other choice if the Congress fails to act by the end of the year."
4. It is very important that you not say anything to Senator Stevens that will fuel the fires of compromise that are already burning dangerously in the Senate committee. You should find a way to restate your desire for a strong bill as you recommended, while reserving judgment on the Stevens' proposal until we have had a chance to study it in detail.

### ADDITIONAL INFORMATION

Senator Gravel was also invited to a meeting on the same subject, but he declined. He obviously believes it is in his best political advantage to remain aloof at this stage.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

July 26, 1978

## MEMORANDUM TO THE PRESIDENT

From : Secretary of the Interior

Subject : Meetings with Senators Gravel and Stevens

While Mike Gravel is using obstructionist tactics, Ted Stevens is sitting in on markup of the d-2 bill pushing for compromise and making some headway. Last week Stevens announced he would present to you a new proposal of 80 million acres, but 67 million of these would be in management categories which provide inadequate protection to the resources. It is unacceptable.

Your recommendation to Congress is our bottom line. Before sending it up, we made major concessions to the State and development interests. Negotiations should be between our proposal and the House-passed bill, not between ours and Stevens' and Gravel's bills. Mo Udall is hanging tight and would rather wait till next year than accept a gutted bill. There is substantial room for compromise between H.R. 39 as passed by the House and your bill.

We need to get the bill passed, but the State needs to get the bill passed more than we do and Stevens and Gravel know it. They also know we have legal authorities to really lock up the State should an acceptable bill not pass, but they need to know that we are willing to use those authorities if forced to.

*Leah D. Anderson*

THE WHITE HOUSE  
WASHINGTON

July 27, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: Bob Lipshutz *BL*  
SUBJECT: ITT Officials' Criminal Cases

Since your decision regarding certain evidentiary questions in this matter, the Department of Justice has been reviewing these two cases.

We have been advised within the past few days that the Department plans to proceed with the cases, in significantly modified form, and of course consistent with your decision concerning these evidentiary questions.

In order to avoid any misunderstandings between any of the interested parties, such as the Department of Justice, CIA, NSC, our office, and you, we have been meeting with the representatives of these parties and will meet again the first part of next week.

I will keep you advised.

THE WHITE HOUSE  
WASHINGTON

July 27, 1978

MEMORANDUM FOR THE PRESIDENT

FROM: STU EIZENSTAT *Stu*  
SUBJECT: Meeting With Senator Kennedy

After discussions with Secretary Califano, Hamilton and Jerry Rafshoon, Phil has set up the meeting with Senator Kennedy at 9:30 a.m. Since no one has asked us, the labor people presumably will not be present.

The press briefing scheduled for tomorrow has been cancelled.

Kennedy will talk about what he considers to be the three fundamental issues:

- a. a single bill vs. sequential bills (one introduced after another phase has already been enacted through a previously introduced bill);
- b. the triggering mechanism; and
- c. the issue of timing -- before or after the election.

I herewith attach another copy of my memorandum which I had done for the aborted meeting of today for your reference.



THE WHITE HOUSE

WASHINGTON

July 27, 1978

MEMORANDUM FOR:

THE PRESIDENT

FROM:

STU EIZENSTAT  
JOE ONEK

SUBJECT: Meeting with Kennedy on NHI

You previously told Senator Kennedy and labor leaders that you would show them your NHI principles in advance and meet with them if there were serious disagreements. We have met with the Kennedy and labor staffs and with Senator Kennedy; two areas of disagreement remain. A meeting with you and Senator Kennedy has therefore been set up today.

Areas of Disagreement:

1. One bill or several bills. Principle 6 leaves open the possibility that we would phase in a comprehensive national health plan with more than one piece of legislation, over a period of time. For example, the first piece of legislation could provide Medicaid reform and catastrophic coverage and then, depending on economic and other conditions, a second piece of legislation could be introduced to provide basic coverage for employees.

Implicit in our approach and in the language you approved (which in turn had complete agreement from all of your advisers) is that the implementation of successive phases depends both on the success of prior phases (a retroactive evaluation) and on economic and budget conditions at the time (a prospective evaluation). This is a responsible approach but, particularly the prospective conditions, is rejected by Kennedy and labor. They can agree to mid-course "adjustments" but not to delays and/or major modifications in phases because of budget and economic conditions. We think their approach is not a responsible course.

Kennedy and labor have always opposed such an approach because they fear that Congress will never go beyond the first stage. Long, Ribicoff, and many others believe that the incremental approach is the only practical one.

We can draft the principles so that this issue is papered over. However, it is clear that Secretary Califano will immediately be asked at the press briefing whether this forecloses use of more than one bill. All your advisers (DPS, HEW, OMB, CEA) believe we must answer that more than one bill remains a possibility. This answer to an inevitable question about our interpretation of the principles is unacceptable to Senator Kennedy, and he has indicated it will precipitate a break with the Administration over the NHI issue. This would probably occur even if we paper over the disagreement in the principles.

We have identified three options:

First, we could commit to only one bill, and thus avoid a rupture with Senator Kennedy and labor. It is possible that we could devise a phasing approach under a single bill which would be flexible enough to meet your budgetary and economic concerns. However, we are by no means certain that we can perfect such an approach and would therefore feel we need to keep open the option of more than one piece of legislation. Furthermore, it is conceivable that Kennedy and labor may not ultimately agree with whatever phasing approach we select. Finally, once we are committed to a single bill, we lose much of our leverage to force Kennedy and labor to agree to a moderate plan. Moreover, an incremental approach is the only one with a chance of success in Congress. To commit now to a comprehensive bill may assure a failure to pass anything on NHI.

The second option is simply to state that we have not ruled out more than a single bill, and that it is indeed possible we will ultimately decide on that approach. This approach would be supported by Long, Ribicoff, the business community, and others, but would lead to a rupture with Kennedy and labor on NHI.

Third, a possible compromise would be to say that the Administration "prefers" that our comprehensive national health plan be contained in a single bill if it can be responsibly done but that other options remain open (incremental approach) and will be fully explored. Under this approach, you could emphasize to Senator Kennedy that he should not break with the Administration before the Administration has in fact made a decision on this question. Of course, the Senator would be free to break at any future time. We do not know whether this approach would be acceptable to Senator Kennedy. This would give us time to see if Kennedy/labor can agree to a more responsible approach.

2. Timing of tentative plan. As you know, Senator Kennedy and labor had hoped that the Administration would announce a tentative plan in the fall so that Senator Kennedy could hold NHI hearings. We have urged, and you have agreed, that

this does not make sense. Instead, we have suggested to Senator Kennedy that he hold hearings on the problems which create the need for NHI and, if he wishes, on certain aspects of our plan.

Yesterday we told Senator Kennedy why we thought the tentative proposal should not be announced until after the election. First, announcement of even a tentative plan before the election could pose problems for Democratic candidates who, in the current climate, must avoid the big spending label. Second, it would be unwise for you to introduce a new initiative when you are still embroiled in major energy and tax battles. It would appear the Administration has lost its sense of priorities and cannot focus on "first things first." Third, the future of NHI will not be any different if a tentative proposal is first announced on November 15 rather than October 1. When the history of NHI is written, whether the plan comes before or after the election will be irrelevant.

We believe that these arguments carried some weight with Senator Kennedy, and that he might be willing to abandon his timing position if he can reach agreement with the Administration on the first issue of a single bill.

We recommend that you should emphasize that there is no need for Senator Kennedy to precipitate a break until a final Administration decision is made. We think that you should make clear that you cannot at this time foreclose the possibility that you would recommend more than one bill.

Furthermore, you should tell Senator Kennedy that if he and labor break with the Administration and do not continue to help us develop an NHI plan, you will be left with no alternative but to work with other members of Congress.

Finally, we believe you should reiterate your decision on the timing of the tentative plan. In light of our conversation with Senator Kennedy noted above, we do not expect that Senator Kennedy will break with the Administration on this issue alone.

THE WHITE HOUSE  
WASHINGTON

July 27, 1978

FOR THE RECORD:

The Vice President and Frank Moore  
were given copies of the attached.

THE WHITE HOUSE  
WASHINGTON

July 26, 1978

MEMORANDUM FOR THE PRESIDENT

FROM:

FRANK MOORE *F.M.*  
DAN TATE *DT*

SUBJECT:

Natural Gas Update

We were invited to sit in on the Senators' Working Group meeting this afternoon. Timing and vote counts on cloture were discussed.

The conference report probably will not be filed in the Senate until next Thursday, August 3, due to problems the staff has encountered in drafting the legislative language. This means that Senator Byrd will probably not file his first cloture petition until the following Tuesday, August 8, and the first cloture vote will not occur until Thursday, August 10. He will file a cloture petition every day beginning on the 8th and there will be cloture votes every day beginning on the 10th. These dates are subject to slippage, especially those for filing the report and for filing the first cloture petition.

Attached is the updated vote count on cloture. The Senators will continue to canvass their colleagues.

We are still not as optimistic as the Senators' count is.

*Lutz -  
Please monitor  
this - I'll help -  
Early commitments  
are needed  
J*

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meeting with democratic members  
of the 94th congress 7/27/78  
THE WHITE HOUSE  
WASHINGTON

Civil Service

Energy

Tax

Airline dereg

Hospital Cost

Turkey

Foreign aid

+ ?+ E ?E ?- —  
51 9 7 1 6 16

Starting Time: .....

July 26  
(Date)

## Roll Call Vote

Legislative  
Executive

NO.

SUBJECT

Natural Gas / Closure

YEAS		NAYS
—	Abourezk	
?	Allen (Mrs.)	
?—	Anderson	
E	Baker	
—	Bartlett	
E	Bayh	
—	Bellmon	
?+	Bentsen	
—	Biden	
+	Brooke	
+	Bumpers	
+	Burdick	
?+	Byrd, Harry F., Va.	
+	Byrd, Robert C., W. Va.	
?—	Cannon	
+	Case	
+	Chafee	
+	Chiles	
+	Church	
+	Clark	
+	Cranston	
?+	Culver	
—	Curtis	
+	Danforth	
+	DeConcini	
—	Dole	
+	Domenici	
+	Durkin	
+	Eagleton	
E	Eastland	
+	Ford	
?	Garn	
+	Glenn	
—	Goldwater	
?+	Gravel	
?—	Griffin	
—	Hansen	
+	Hart	
+	Haskell	
—	Hatch	
+	Hatfield, Mark O., Oreg	
+	Hatfield, Paul G., Mont.	
?	Hathaway	
—	Hayakawa	
E	Heinz	

—	Helms	
+	Hodges	
?E	Hollings	
+	Huddleston	
?—	Humphrey (Mrs.)	
+	Inouye	
+	Jackson	
+	Javits	
+	Johnston	
?	Kennedy	
—	Laxalt	
?+	Leahy	
?+	Long	
?+	Lugar	
+	Magnuson	
+	Mathias	
+	Matsunaga	
+	McClure	
+	McGovern	
?+	McIntyre	
+	Melcher	
—	Metzenbaum	
+	Morgan	
+	Moynihan	
?	Muskie	Schlesinger says +
+	Nelson	
+	Nunn	
?	Packwood	
+	Pearson	
+	Pell	
+	Percy	
+	Proxmire	
+	Randolph	
+	Ribicoff	
?—	Riegle	
?	Roth	
?	Sarbanes	
+	Sasser	
?	Schmitt	
+	Schweiker	
—	Scott	
?+	Sparkman	
?	Stafford	
E	Stennis	
E	Stevens	
+	Stevenson	
+	Stone	
+	Talmadge	
?—	Thurmond	
—	Tower	
—	Wallop	
+	Weicker	
+	Williams	
E	Young	
+	Zorinsky	

January, 1978

+ = for cloture immediately  
 ?+ = probably for cloture immediately  
 E = for cloture eventually ?E = probably eventually  
 ?- = probably against indefinitely  
 - = against indefinitely